

Consumer Protection Division Cable Complaint Form

FILENUMBER 13993	DATE 2/14/2006	TIME 9:01 AM	COMPANY Comcast (Miami)
PROBLEM Your roof was damaged by a Comcast cable going over your private property. You have been working with Comcast's insurance company and they want you to sign a release that doesn't cover the damages and allows them to continue to be on your private property. Since it is a violation of County Code to be on your private property without your consent, you want Comcast to remove the cable immediately. You also want Comcast to provide fair compensation for all of the damages they have caused with their illegal cable placement.			
SALUT. Mr.	FIRSTNAME Eian	LASTNAME Feldman	HOMEPHONE (305) 324-8555
ADDRESS 1050 NW 21 Street			BUSPHONE
CITY Miami	STATE FL	ZIPCODE 33127	
CODE1 b1	CODE2 c3	CODE3	DISTRICT 3
ETHNIC W		GENDER M	
DATE2 4/27/2006	JUSTIFY Justified	CREDIT	
RESPONSE 02/14/06 - Cables have been removed from roof.			COMMENTS 02/14/06-Complaint came from Manager's office via email. Gave to Wesley for response. Gave to Duran to issue warning for cable placement. Also gave to Kersi at the City for follow-up. See hard copy for more information...Dave. 02/14/06-12:50:04 PM-Louis advises that the cable is now off of his roof. I advised Jon...Dave.

2/14/06-Complaint came from Manager's office via email. Gave to Wesley for response. Gave to Duran to issue warning for cable placement. Also gave to Kersi at the City for follow-up. See hard copy for more information...Dave.

02/14/06-12:50:04 PM-Louis advises that the cable is now off of his roof. I advised Jon...Dave.

2/21 Mr F lft msg on 2/17 about Comcast; I called him back and left a msg w/ his secretary...duran

02/28/06 09:54:32 AM L. Duran advised cons was helped by us the same day of complaint, however, this is now an insurance issue with comcast and an attorney is contacting and dealing with customer regarding his claim. ab

03/05/06 - Contacted consumer regarding repairs. No progress. He does not want to hire an attorney. CSD should fine Comcast...JW

03/06/06 - Contacted Comcast regarding repairs to building. Left message. JW

03/30/06 - Left message for Feldman regarding repairs.JW

03/31/06 - Left message for Comcast regarding repairs.JW

04/19/06 - Spoke with Feldman regarding repairs - No progress with Comcast. Why can't we help him by putting pressure on Comcast?JW

04/20/06 - Left message with Comcast. JW

04/27/06 - Consumer faxed contact information for Comcast's attorney.

04/27/06 - Spoke with Comcast's attorney. He specializes in insurance fraud and will not discuss any details of Feldman case.

10/05/06-Mr. Feldman called and advised that he will be sending a public records request as well as request a meeting with Peter Negretie. I advised that I would be happy to try and mediate a resolution in our office if Comcast participates. He feels that Comcast does not know what the insurance fraud attorney is doing to intimidate him and accuse him of fraud. He states that he flew to Comcast corporation and Brian Roberts refused to see him. He also feels that Comcast has a lot of political clout and only wants resolution of the damages caused by Comcast...Dave.

10/05/06-Klay called and advised Comcast is declining the meeting requested by Mr. Feldman. I advised Mr. Feldman and he thanked me for my assistance. He also stated that I have done more for him than any other government official...Dave.

From: "Nancy Murphy" <Nancy.Murphy@fcc.gov>

Date: Tue, 22 Jul 2008 16:25:04 -0400

To: <hunterbl@doacs.state.fl.us>

CC: <erica.farago@gmail.com>; Monica Desai <Monica.Desai@fcc.gov>

Subject: RE: Comcast/FCC/ LFA

This email got kicked back because there isn't enough memory in your mailbox. I have removed the attachments and hope this message is small enough for you to receive. You should be able to get Ms. Farago to fax the relevant documents to you.

From: Nancy Murphy

Sent: Tuesday, July 22, 2008 4:13 PM

To: 'hunterbl@doacs.state.fl.us'

Cc: 'erica.farago@gmail.com'; Monica Desai

Subject: FW: Comcast/FCC/ LFA

Thank you for taking the time to speak with me this afternoon. As discussed, I am providing you with the complainant's information - Erica Farago (see Cc for email address) - which is highlighted below in her email so that you or other appropriate state representative may contact her directly. The documents attached include a copy of their 2008 FCC complaint (by Mr. Elan Feldman who is the owner of the property and Ms. Farago's father) and a copy of their 2006 complaint that was filed with Miami Dade Cable Telecommunications Licensing before Florida enacted their state legislation covering cable television services.

Property damage complaints fall outside of the jurisdiction of the FCC, but under Section 621(a)(2)(C) of the Communications Act of 1934, as amended, it falls squarely within the jurisdiction of the franchising authority - in this case, the State of Florida. Section 621 is entitled *General Franchise Requirements* and subsection (C) states:

that the owner of the property be justly compensated by the cable operator for any damages caused by the installation, construction, operation, or removal of such facilities by the cable operator.

Ms. Farago has been trying to get this issue resolved for over two years now and we would like to see this matter resolved in a timely and equitable manner. Your efforts in this regard will be greatly appreciated!

Nancy Murphy
Associate Chief, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
ph: (202) 418-1043
e-mail: nancy.murphy@fcc.gov

From: Erica Farago [mailto:erica.farago@gmail.com]

Sent: Friday, July 11, 2008 3:59 PM

To: Nancy Murphy

Cc: Monica Desai

Subject: Re: Comcast/FCC/ LFA